



MINUTES

OCONEE COUNTY COUNCIL

Regular Meeting

September 19, 2023

MEMBERS, OCONEE COUNTY COUNCIL

Mr. John Elliott, District I
Mr. Matthew Durham, Chairman, District II
Mr. Don Mize, Vice Chairman, District III
Mr. Julian Davis III, District IV
Mr. Glenn Hart, Chairman Pro Tem, District V

Oconee County Council met at 6:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members, County Administrator Amanda F. Brock, County Attorney David Root, & Jennifer C. Adams, Clerk to Council present.

Press: Pursuant to the Freedom of Information Act, notice of the meeting, date, time, place of meeting and agenda were posted on the bulletin board at the County Administrative Offices, 415 South Pine Street, Walhalla, SC, and the County Council website [www.oconeesc.com/council]. In addition, it was made available [*upon request*] to the newspapers, radio stations, television stations and concerned citizens.

Members of the press present: Riley Morningstar / The Journal

Call to Order

Mr. Durham called the meeting to order at 6:00 p.m.

Moment of Silence

Mr. Durham asked for a moment of silence prior to the Invocation by County Council Chaplain.

Invocation by County Council Chaplain

Mr. Root, County Council Chaplain, gave the invocation.

Pledge of Allegiance

Mrs. Ladale Price, Finance Director, led the Pledge of Allegiance to the Flag of the United States of America.

Approval of Minutes

Mr. Davis made a motion, seconded by Mr. Elliott, approved 5 – 0, to approve the September 5, 2023 regular meeting minutes as presented.

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Proclamations

PROCLAMATION 2023-07 A PROCLAMATION RECOGNIZING UNITED STATES CONSTITUTION WEEK

Mr. Hart made a motion, seconded by Mr. Elliott, approved 5 – 0, to approve **Proclamation 2023-07** on first and final reading.

Attorney's Comments

None for this meeting.

Administrator's Comments

None for this meeting.

Public Comment Session

If you are not able to attend in person and you have a comment, you may submit it by contacting our Clerk to Council, Jennifer C. Adams at jennifercadams@oconeesc.com or 864-718-1023, so that she may receive your comment and read it into the record.

1. Mr. Luther Lyle addressed Council with his concerns related to billboards in Oconee County.
2. Mr. Jim Mann addressed Council in relation to the Town Hall invitation that was extended to Council by the Oconee County Republican Party.
3. Mr. John Morrey offered comments to Council related to Constitution Week, commercial land development, sewer impact fees and the GO Bond, in which he utilized a handout entitled, "CHUNK-A-CHANGE Story" [copy filed in backup].

Mr. Morrey was allowed two extra speaking minutes on a motion made by Mr. Davis, seconded by Mr. Elliott, approved 3 – 2 [Mr. Durham and Mr. Mize opposed].

4. Mr. Mike McAlister addressed Council in opposition to the proposed four subdivisions off of Rochester Highway in Seneca, that were recently received by the Oconee County Planning Department.

Council Members Comments

Mr. Elliott responded to Mr. McAlister's concerns related to the four newly proposed subdivisions on Rochester Highway, noting he was not in favor of these developments.

Mr. Hart responded to Mr. Mann's comments related to the Town Hall invite, noting he would not be attending.

Mr. Davis responded to public comments related to the four proposed subdivisions, growth in the County, the GO Bond, sewer expansion and the FY2023-2024 budget.

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Public Hearings for the Following Ordinances *If you would like to be heard during either of the public hearings, please contact Clerk to Council Jennifer C. Adams at jennifercadams@oconeesc.com or 864-718-1023 so that your participation may be coordinated.*

ORDINANCE 2023-14 AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF ADDENDA TO THE LEASE AGREEMENTS BETWEEN OCONEE COUNTY AND (1) THE FOOTHILLS FARMSTEAD (“FARMSTEAD”) AND (2) THE FAIR-OAK YOUTH CENTER, INC. (“FOYC”), IN ORDER TO EFFECT THE TRANSFER OF CERTAIN PROPERTY FROM THE FOYC LEASE PREMISES TO THE FARMSTEAD LEASE PREMISES; AND OTHER MATTERS RELATED THERETO.

Mr. Durham opened the floor for Public Comment.

Noting that no citizens signed up to address Council; Mr. Durham opened the floor for any citizen wishing to address Council regarding this ordinance. No citizen addressed Council and no citizen submitted or presented any written comments for the record.

Mr. Durham closed the Public Hearing regarding **Ordinance 2023-14**.

ORDINANCE 2023-15 AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDMENT TO PURCHASE AND SALE AGREEMENT BY AND BETWEEN OCONEE COUNTY, SOUTH CAROLINA, AND MEYN AMERICA, LLC; AND OTHER RELATED MATTERS.

Mr. Durham opened the floor for Public Comment.

Noting that no citizens signed up to address Council; Mr. Durham opened the floor for any citizen wishing to address Council regarding this ordinance. No citizen addressed Council and no citizen submitted or presented any written comments for the record.

Mr. Durham closed the Public Hearing regarding **Ordinance 2023-15**.

ORDINANCE 2023-16 AN ORDINANCE TO AMEND AND SUPPLEMENT ORDINANCE 2023-01, WHICH ESTABLISHED THE BUDGET FOR OCONEE COUNTY AND PROVIDED FOR THE LEVY OF TAXES FOR ORDINARY COUNTY PURPOSES, FOR THE TRI-COUNTY TECHNICAL COLLEGE SPECIAL REVENUE FUND, FOR THE EMERGENCY SERVICES PROTECTION SPECIAL REVENUE FUND, FOR THE ROAD MAINTENANCE SPECIAL REVENUE FUND, FOR THE BRIDGE AND CULVERT CAPITAL PROJECT FUND, FOR THE ECONOMIC DEVELOPMENT CAPITAL PROJECT FUND, FOR THE PARKS, RECREATION, AND TOURISM CAPITAL PROJECTS FUND, FOR THE DEBT SERVICE FUND, FOR THE VICTIM SERVICES SPECIAL REVENUE FUNDS, FOR THE CAPITAL VEHICLE / EQUIPMENT FUND, AND FOR THE CREATION OF THE FIRE / EMERGENCY SERVICES CAPITAL VEHICLE AND EQUIPMENT FUND THE COMMUNITY HEALTH AND COMMUNITY SERVICES FUND, AND THE GENERAL ONE TIME CAPITAL FUND, ALL IN OCONEE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2023 AND ENDING JUNE 30, 2024, IN ORDER TO EFFECT SUPPLEMENTAL APPROPRIATIONS; AND OTHER MATTERS RELATED

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THERE TO.

Mr. Durham opened the floor for Public Comment.

Mr. Jim Mann addressed Council with his concerns related to Budget Amendment **Ordinance 2023-16**.

Mr. Durham closed the Public Hearing regarding **Ordinance 2023-16**.

Third Reading of the Following Ordinances

ORDINANCE 2023-14 *[see caption above]*

Mr. Davis made a motion, seconded by Mr. Elliott, approved 5 – 0, to approve **Ordinance 2023-14** on third and final reading.

ORDINANCE 2023-15 *[see caption above]*

Mr. Davis made a motion, seconded by Mr. Elliott, to approve **Ordinance 2023-15** on third and final reading.

Mr. Elliott and Mr. Davis extended their thanks to Meyn America for choosing to locate their business in Oconee County.

Mr. Davis also extended his thanks to Mr. Jamie Gilbert and his staff for their hard work on the Meyn American project.

Motion approved 5 – 0.

ORDINANCE 2023-16 *[see caption above]*

Mr. Hart made a motion, seconded by Mr. Elliott, to approve **Ordinance 2023-16** on third and final reading.

Ms. Brock addressed Mr. Mann's concerns related to the Bridges and Culverts Capital Projects Fund on page 87 of the FY2023-2024 amended budget, noting there was a scribers error on that particular page and it will be corrected.

Ms. Brock then asked for a motion from Council to amend **Ordinance 2023-16** by adding 1 (one) mill to the to the Road Maintenance Fund.

Short discussion followed by Council related to the above request from Ms. Brock.

Mr. Elliott made a motion, seconded by Mr. Davis, approved 5 – 0, to approve correcting the scribers error on page 87 of the FY2023-2024 budget document to reflect \$620,000.00 and to add 1 (one) mill in section 5 of the Budget Amendment Ordinance to the Road Maintenance Fund.

Amended motion approved 5 – 0, approving **Ordinance 2023-16** on third and final reading.

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Second Reading of the Following Ordinances

None scheduled for this meeting.

First Reading of the Following Ordinances

ORDINANCE 2023-17 AN ORDINANCE AUTHORIZING, PURSUANT TO TITLE 12, CHAPTER 44 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, THE EXECUTION AND DELIVERY OF A SPECIAL SOURCE REVENUE CREDIT AGREEMENT BY AND BETWEEN OCONEE COUNTY, SOUTH CAROLINA, AND A COMPANY IDENTIFIED FOR THE TIME BEING AS PROJECT GALT, ACTING FOR ITSELF, ONE OR MORE CURRENT OR FUTURE AFFILIATES AND OTHER PROJECT COMPANIES (COLLECTIVELY, “COMPANY”); PROVIDING FOR A FEE IN LIEU OF AD VALOREM TAXES INCENTIVE; PROVIDING FOR A SPECIAL SOURCE REVENUE CREDIT; CREATING A, OR MODIFYING AN EXISTING, JOINT COUNTY INDUSTRIAL AND BUSINESS PARK BETWEEN OCONEE COUNTY AND PICKENS COUNTY SO AS TO DESIGNATE THE PROPERTY OF THE PROJECT AS PART OF THE PARK; AND OTHER RELATED MATTERS.

Mr. Elliott made a motion, seconded by Mr. Davis, approved 5 – 0, to approve **Ordinance 2023-17** on first reading.

Discussion Regarding Action Items

Discuss and act on the Financial Participation Agreement proposed by the South Carolina Department of Transportation in relation to traffic signal and related improvements for the benefit of BorgWarner / Akasol, Inc. under grant funding from the South Carolina Coordinating Council for Economic Development.

Ms. Brock provided Council with background information related to the above discussion item, noting that BorgWarner recently announced a \$42.7 million expansion at their Seneca, SC location and with this expansion there is a necessity for a traffic signal at the intersection of BorgWarner main entrance and Wells Highway.

Ms. Brock further explained to Council that with the agreement with SCDOT would require that the County pay up to \$200,000.00 but would then be reimbursed by the South Carolina Coordinating Council for Economic Development.

Mr. Davis commented that he would like both Seneca Middle and Seneca High Schools to be involved in the traffic study discussions.

Mr. Elliott made a motion, seconded by Mr. Davis, approved 5 – 0, to approve Financial Participation Agreement proposed by the South Carolina Department of Transportation in relation to traffic signal and related improvements for the benefit of BorgWarner / Akasol, Inc. under grant funding from the South Carolina Coordinating Council for Economic Development.

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Local ATAX Recommendations-PRT Commission / Fall 2023 Cycle / \$64,000

A portion of Local ATAX revenues received by Oconee County are made available for ATAX grants through Ordinance 2011-12. ATAX grants are to be tourism related grants that meet the ATAX guidelines specified by local and State mandates. Grants are recommended by the PRT Commission based on tourism impact of the project and approved by County Council. All external ATAX grant recipients are required to turn in intermediate reports every 60 days to the progress of the grant and a final report upon completion of the grant. These reports are placed in the grant folder, which is kept active by the PRT staff until the grant is considered complete. Internal projects through Oconee PRT are also funneled through local ATAX for eligible projects.

It is the staff’s recommendation that Council approve of ATAX grant recommendation as presented.

Mr. Davis made a motion, seconded by Mr. Elliott, to approve of ATAX grant recommendations as presented.

Mr. Davis expressed his thanks to all members of the ATAX Committee for their work on the grant recommendations.

Motion approved 5 – 0.

Title: W.K. Dickson Work Authorization #2	Department(s): Airport
Airport Taxiway Pavement Rehabilitation Design Phase Services	
Amount: FAA 90% \$ 324,387.00	
State 5% \$ 18,021.50	
<u>County 5% \$ 18,021.50</u>	
Project Award: \$ 360,430.00	

**Procurement was approved by Council in Fiscal Year 2023-2024 budget process.
Budget: \$360,430.00 Project Cost: \$360,430.00 Balance: \$0.00**

On February 1, 2022, Council approved the award of RFP 21-08 for Professional Engineer and Consulting Services for the Oconee County Airport to W.K. Dickson & Company, Inc., of Columbia SC for a five-year term for services, as needed. The Oconee County Regional Airport now wishes to contract with W.K. Dickson for engineering, surveying and design phase services for the Airport Taxiway Pavement Rehabilitation Project.

- On May 5, 2023, Oconee County submitted a Taxiway Pavement Rehabilitation (Design/Bid) Project Application to the Federal Aviation Administration (FAA) for funding consideration under the Airport Improvement Program (AIP) and the Airport Bipartisan Law (BIL) / Airport Infrastructure Grant (AIG) programs.
- On July 31, 2023, Oconee County received Federal Aviation Administration (FAA) Grant Offer under the Airport Improvement Program Grant (AIP) Project No. 3-45-0016-035-2023 and the Airport Bipartisan Law (BIL) / Airport Infrastructure Grant (AIG) Project No. 3-45-0016-036-2023 for the Taxiway Pavement Rehabilitation (Design/Bid) Project.
- On August 15, 2023, Council approved the acceptance of Federal Aviation Administration (FAA) Airport Improvement Program Grant Offer Project No. 3-45-0016-035-2023, the Airport Infrastructure Grant Offer Project No. 3-45-0016-036-2023 for the Taxiway Pavement Rehabilitation (Design & Bidding) along with matching funds.

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W.K Dickson Work Authorization WA# 2 (Under RFP 21-08 Airport Engineering Services), in the amount of \$360,430.00, includes professional services for Project Management, Grant Administration, Preliminary Engineering, Design Services and Plan Preparations (Civil & Electrical), Surveying, Geotechnical Investigations, Engineering Design, Permitting and Bid phase services associated with the rehabilitation of the existing asphalt taxiway pavement at the Oconee County Regional Airport.

The FAA will pay 90% of these costs, the SCAC pays 5% and the County pays a matching 5%. The grant agreement for this funding was approved at the August 15, 2023 Council meeting. The total amount that will come from County funds is \$18,021.50.

It is the staff's recommendation that Council:

- 1. Approve Work Authorization #2 from W.K Dickson & Co., Inc. in the amount of \$ 360,460.00.**
- 2. Authorize the County Administrator to execute documents for this project.**

Mr. Davis made a motion, seconded by Mr. Elliott, approved 5 – 0, to approve Work Authorization #2 W.K. Dickson and Co., Inc. in the amount of \$360,460.00 and authorize the County Administrator to execute documents for this project.

Mr. Durham paused the meeting to read a public email into record from Ms. Mikayla Kreuzberger regarding the deteriorating condition of Wildwood Court and Creek Court roads in West Union, SC.

Council Committee Reports

None for this meeting.

Board & Commission Appointments

Agricultural Advisory Board

District IV: No questionnaires on file for this seat

Mr. Davis made a motion, seconded by Mr. Hart, approved 5 – 0, to move Mr. Josh Owens from the At-Large position on the Agricultural Advisory Board to the vacant District IV seat.

Executive Session:

Mr. Davis made a motion, seconded by Mr. Hart, approved 5 – 0, to enter into Executive Sessions for the following purposes, as allowed for § 30-4-70(a) of the South Carolina Code of Laws:

- 1. Discussion regarding an Economic Development matter, Project Wash.*
- 2. Discussion regarding an Economic Development matter, Project Duel.*
- 3. Discussion regarding an Economic Development matter, Project Parallel.*
- 4. Council discussion regarding a contractual matter related to the Town of Salem, City of Seneca, City of Walhalla and the City of Westminster.*
- 5. Receive legal advice and discuss a pending administrative complaint regarding the Oconee County Detention Center, along with a related contractual issue.*
- 6. Receive legal advice and discuss contractual matter related to the Oconee County Rock Quarry.*

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Council entered into Executive Session at 6:57 p.m.

Council returned from Executive Session at 8:59 p.m. on a motion made by Mr. Davis, seconded by Mr. Hart, approved 5 – 0.

First & Final Reading for the Following Resolutions

RESOLUTION 2023-15 A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF INTERGOVERNMENTAL AGREEMENTS FOR FIRE PROTECTION AND OTHER EMERGENCY RESPONSE SERVICES BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND (1) THE TOWN OF SALEM, (2) THE CITY OF SENECA, (3) THE CITY OF WALHALLA, AND (4) THE CITY OF WESTMINSTER.

Mr. Davis made a motion, seconded by Mr. Hart, to approve **Resolution 2023-15** on first and final reading.

Mr. Davis extended his appreciation to Ms. Brock for her hard work on this matter and to the towns working together for this partnership.

Motion approved 5 – 0.

RESOLUTION 2023-16 A RESOLUTION APPROVING AND AUTHORIZING OCONEE COUNTY'S CONSENT TO THE TRANSFER OF A LEASE AGREEMENT BETWEEN CARRA H. ORR (WITH GLORIA FAYE ORR BASHON, GLENDA O. BROCK, SUSAN O. WEST, AS NECESSARY), HUBBARD PAVING AND GRADING, INC. AND KING ASPHALT INC.; AND OTHER MATTERS RELATED THERETO.

Mr. Elliott made a motion, seconded by Mr. Davis, approved 5 – 0, to approve **Resolution 2023-16** on first and final reading.

Discussion Regarding Action Items

Discuss and act on proposal of Goldie Associates for design, permitting, construction bidding, and construction oversight in relation to wastewater disposal issues at the Oconee County Detention Center.

Mr. Davis made a motion, seconded by Mr. Elliott, approved 5 – 0, to approve the Award to Goldie and Associates in the amount of \$87,000.00 and to authorize the County Administrator to execute documents and transfer adequate funds for this project.

Adjourn:

Mr. Hart made a motion, approved unanimously, to adjourn at 9:02 p.m.

Respectfully Submitted:

Jennifer C. Adams
Clerk to Council

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